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Appeal Brief  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:  
Yang et al. §  
Serial No.: 10/616,044 § Group Art Unit: 1753  
Confirmation No.: 9799 §  
Filed: July 8, 2003 § Examiner: Luan V. Van  
For: Anolyte for Copper Plating §  
§  
§

MAIL STOP: APPEAL BRIEF-PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**APPEAL BRIEF**

Applicants submit this Appeal Brief to the Board of Patent Appeals and Interferences on appeal from the decision of the Examiner of Group Art Unit 2812 dated December 21, 2005, finally rejecting claims 1-31. The final rejection of claims 1-31 is appealed. This Appeal Brief is believed to be timely since mailed by the due date of May 22, 2006, as set by mailing a Notice of Appeal on March 21, 2006. Authorization to charge the fee of \$500.00 for filing this brief is provided on a separate fee transmittal. Please charge any additional fees that may be required to make this Appeal Brief timely and acceptable to Deposit Account No. 20-0782/007669.P2/KMT.

The Examiner further errs in finding that it would have been obvious to modify the electroplating method of *Mayer et al.* and *Reid et al.* by tilting the anode as taught by *Sendai et al.*, to reject claims 31, because *Mayer et al.* in view of *Reid et al.*, and in further view of *Sendai et al.*, alone or in combination, does not teach, show, or suggest an ionic membrane, nor separating an anolyte chamber from a catholyte chamber by the ionic membrane, wherein the ionic membrane is positioned at a vertical position above the anode and in substantially parallel relationship to an upper surface of the anode.

Respectfully submitted,



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